

### REMARKS

The Office Action mailed April 25, 2006 has been carefully reviewed and the foregoing amendment has been made in consequence thereof.

Claims 1, 3-16 and 18-30 are now pending in this application. Claims 1, 3-16 and 18-30 stand rejected. Claims 2 and 17 are cancelled. However, the features of cancelled claims 2 and 17 have been incorporated into amended Claims 1 and 16, respectively.

The specification is amended to include reference numeral "38" indicating a top surface of a cooktop 14, as shown in Figure 1. No new matter has been added.

Claims 3, 5-7, 11, 14, 15, 18, 20-22, 26 and 29 are amended to correct minor informalities or correct dependency. No new matter has been added.

The rejection of Claims 1-11, 14-26, 29 and 30 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent 5,653,219 to Taplan et al. (hereinafter referred to as "Taplan '219") is respectfully traversed. The rejection is rendered moot with respect to cancelled Claims 2 and 17.

Taplan '219 describes a cooktop (1) including a cook plate (2) and an air-inlet device (15) attached to a bottom surface of the cook plate (2) to cover an internal opening/gap (8) provided in the cook plate (2). The air-inlet device (15) includes a curved channel (16) having a lateral outer opening (22) and an inner tube (24) having inner openings (26). The inner tube (24) is rotably journaled in the outer tube (16) so as to be rotatable between a first position and a second positioned. In the first position shown in Figure 6b, the openings (22) and (26) are aligned so that air may flow in the direction of arrow (30). In the second position shown in Figure 6c, the openings (22) and (26) are not aligned to prevent air from passing therethrough.

In a different embodiment shown in Figure 1, Taplan '219 describes a cook plate (2) and an air-inlet device (9) attached to a bottom surface of the cook plate (2) to cover an opening/gap (8) disposed at a different cook plate portion than shown in Figures 6a-6c. The

Examiner alleges that the air-inlet device (15) in Figures 6a-6c may be attached to the opening/gap (8) shown in Figure 1. See page 2 of the Office Action. However, Applicants respectfully disagree.

As shown in Figure 6a, Taplan '219 describes that the curved channel (16) includes two **outwardly extending flanges** that attach to **two** bottom cook plate attachment surfaces provided on **both** sides of the opening/gap (8) provided in the cook plate (2) so that the inner tube (24) may be rotatably journaled therein. Notably, the cook plate (2) shown in Figure 1 provides a bottom cook plate attachment surface located on only **one** side of the opening/gap (8). Therefore, the air-inlet device (15) shown in Figure 1 would not be able to attach to the **two** bottom cook plate attachment surfaces provided on **both** sides of an opening/gap as intended. As a result, the inner tube (24) would not be rotatably journaled in the curved channel (16) to control air flow as required.

Claim 1 recites an air inlet system for a gas cooking apparatus comprising at least one gas burner and a burner box, the air inlet system including "a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner, said at least one vent cut defining a recessed corner of said cooktop; ..."

Taplan '219 does not describe or suggest an air inlet system for a gas cooking appliance as recited in Claim 1. More specifically, Taplan '219 does not describe or suggest an air inlet assembly including a cooktop having at least one vent cut defining a **recessed corner** of the cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '219 merely describes **peripheral or more centralized** openings/gaps (8) defined in the cook plate (2). Accordingly, for at least the reasons set forth above, Claim 1 is submitted to be patentable over Taplan '219.

Claims 3-9, directly or indirectly, depend from independent Claim 1. When the recitations of Claims 3-9 are considered in combination with the recitations of Claim 1, Applicants submit that dependent Claims 3-9 likewise are patentable over Taplan '219.

Claim 10 recites an air inlet system for a gas cooking apparatus having at least one gas burner and a burner box, the air inlet system including “a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner; and an elongate cover member attached to a top face of said cooktop and covering the vent cut, said cover member having a surface with openings configured to allow outside air to enter the vent cut through the cover member, and said cover member including a raised surface isolating said openings from spills on said cooktop, said raised surface defining an underlying cavity, and said cover member comprising at least one tab extending into said cavity to mount said cover member on said top face.”

Taplan ‘219 does not describe or suggest an air inlet system for a gas cooking appliance as recited in Claim 10. More specifically, Taplan ‘219 does not describe or suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants’ claimed invention. Rather, in contrast to the present invention, Taplan ‘219 describes the air-inlet device (15) including two **outwardly extending** flanges that mount the curved channel (16) of the air-inlet device (15) to a bottom surface of the cook plate (2) via the opening/gap (8). Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Taplan ‘219.

Claims 11, 14 and 15, directly or indirectly, depend from independent Claim 10. When the recitations of Claims 11, 14 and 15 are considered in combination with the recitations of Claim 10, Applicants submit that dependent Claims 11, 14 and 15 likewise are patentable over Taplan ‘219.

Claim 16 recites a gas cooking apparatus including “at least one gas burner; a burner box for said at least one gas burner; a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner, said at least one vent cut defining a recessed corner of said cooktop; ...”

Taplan '219 does not describe or suggest a gas cooking appliance as recited in Claim 16. More specifically, Taplan '219 does not describe or suggest a gas cooking appliance including a cooktop having at least one peripheral vent cut defining a **recessed corner** of the cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '219 merely describes **peripheral or more centralized** openings/gaps (8) defined in the cook plate (2). Accordingly, for at least the reasons set forth above, Claim 16 is submitted to be patentable over Taplan '219.

Claims 18-24, directly or indirectly, depend from independent Claim 16. When the recitations of Claims 18-24 are considered in combination with the recitations of Claim 16, Applicants submit that dependent Claims 18-24 likewise are patentable over Taplan '219.

Claim 25 recites a gas cooking apparatus including "at least one gas burner; a burner box for said at least one gas burner; a sealed cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner; and an elongate cover member attached to a top face of said cooktop and covering the vent cut, said cover member having a surface with openings configured to allow outside air to enter the vent cut through the cover member, and said cover member including a raised surface isolating said openings from spills on said cooktop, said raised surface defining an underlying cavity, and said cover member comprising at least one tab extending into said cavity to mount said cover member on said top face."

Taplan '219 does not describe or suggest an air inlet system for a gas cooking appliance as recited in Claim 25. More specifically, Taplan '219 does not describe or suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '219 describes the air-inlet device (15) as including two **outwardly extending** flanges that mount the curved channel (16) of the air-inlet device (15) to a bottom surface of the cook plate (2) via the opening/gap (8). Accordingly, for at least the reasons set forth above, Claim 25 is submitted to be patentable over Taplan '219.

Claims 26, 29 and 30, directly or indirectly, depend from independent Claim 25. When the recitations of Claims 26, 29 and 30 are considered in combination with the recitations of Claim 25, Applicants submit that dependent Claims 26, 29 and 30 likewise are patentable over Taplan '219.

For the reasons set forth above, Applicants respectfully request that the Section 102(b) rejection of Claims 1-11, 14-26, 29 and 30 be withdrawn.

The rejection of Claims 10, 12, 25 and 27 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent 6,807,962 to Taplan et al. (hereinafter referred to as "Taplan '962") is respectfully traversed.

Taplan '962 describes a cook top plate (1) including a peripheral recess (7) that receives a component-part such as a metallic venting screen (24). A silicon mass layer 25 is also provided in and around the recess (7) at locations in which the venting screen (24) may contact the plate (1) and at locations in which fluid may enter the recess (7). Notably, the venting screen does not include a tab **extending into** a cavity defined by the venting screen (24), but rather the venting screen (24) includes an **outwardly extending** flange that is provided to position the venting screen (24) with respect to the recess (7) located in the plate (1).

As discussed above, Claim 10 recites an air inlet system for a gas cooking apparatus having at least one gas burner and a burner box, the air inlet system including "a cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner; and an elongate cover member attached to a top face of said cooktop and covering the vent cut, said cover member having a surface with openings configured to allow outside air to enter the vent cut through the cover member, and said cover member including a raised surface isolating said openings from spills on said cooktop, said raised surface defining an underlying cavity, and said cover member comprising at least one tab extending into said cavity to mount said cover member on said top face."

Taplan '962 does not describe or suggest an air inlet system for a gas cooking appliance as recited in Claim 10. More specifically, Taplan '962 does not describe or suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '962 describes the venting screen (24) including an **outwardly extending** flange that is provided to position the venting screen (24) with respect to the recess (7) located in the plate (1). Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Taplan '962.

Claim 12 directly depends from independent Claim 10. When the recitation of Claim 12 is considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 12 likewise is patentable over Taplan '962.

As discussed above, Claim 25 recites a gas cooking apparatus including "at least one gas burner; a burner box for said at least one gas burner; a sealed cooktop configured to cover said burner box and having at least one peripheral vent cut configured to vent outside air into the burner box to provide air for the gas burner; and an elongate cover member attached to a top face of said cooktop and covering the vent cut, said cover member having a surface with openings configured to allow outside air to enter the vent cut through the cover member, and said cover member including a raised surface isolating said openings from spills on said cooktop, said raised surface defining an underlying cavity, and said cover member comprising at least one tab extending into said cavity to mount said cover member on said top face."

Taplan '962 does not describe or suggest an air inlet system for a gas cooking appliance as recited in Claim 25. More specifically, Taplan '962 does not describe or suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '962 describes the venting screen (24) including an **outwardly extending** flange that is provided to position the venting screen (24) with respect to the

recess (7) located in the plate (1). Accordingly, for at least the reasons set forth above, Claim 25 is submitted to be patentable over Taplan '962.

Claim 27 directly depends from independent Claim 25. When the recitation of Claim 27 is considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 27 likewise is patentable over Taplan '962.

For the reasons set forth above, Applicants respectfully request that the Section 102 (e) rejection of Claims 10, 12, 25 and 27 be withdrawn.

The rejection of Claims 13 and 28 under 35 U.S.C. § 103(a) as being unpatentable over Taplan '962 is respectfully traversed.

Taplan '962 is described above. Specifically, Taplan '962 does not describe or suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '962 describes the venting screen (24) including an **outwardly extending** flange that is provided to position the venting screen (24) with respect to the recess (7) located in the plate (1). Accordingly, for at least the reasons set forth above, Claim 10 is submitted to be patentable over Taplan '962.

Claim 13 directly depends from independent Claim 10. When the recitation of Claim 13 is considered in combination with the recitations of Claim 10, Applicants submit that dependent Claim 13 likewise is patentable over Taplan '962.

Taplan '962 is described above. Specifically, Taplan '962 does not describe nor suggest an air inlet assembly including a cover member having a raised surface defining an underlying cavity and at least one tab **extending into** the cavity to mount a cover member on a top face of a cooktop, as required by Applicants' claimed invention. Rather, in contrast to the present invention, Taplan '962 describes the venting screen (24) including an **outwardly extending** flange that is provided to position the venting screen (24) with respect to the

recess (7) located in the plate (1). Accordingly, for at least the reasons set forth above, Claim 25 is submitted to be patentable over Taplan '962.

Claim 28 directly depends from independent Claim 25. When the recitation of Claim 28 is considered in combination with the recitations of Claim 25, Applicants submit that dependent Claim 28 likewise is patentable over Taplan '962.

For the reasons set forth above, Applicants respectfully request that the Section 103 rejection of Claims 13 and 28 be withdrawn.

In view of the foregoing amendments and remarks, all the claims now active in this application are believed to be in condition for allowance. Reconsideration and favorable action is respectfully solicited.

Respectfully submitted,



Eric T. Krischke  
Registration No. 42,769  
ARMSTRONG TEASDALE LLP  
One Metropolitan Square, Suite 2600  
St. Louis, Missouri 63102-2740  
(314) 621-5070